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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,429	12/06/2001	Namsuk Kim	8147.002.00	5412

30827 7590 05/23/2005

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EXAMINER

CANGIALOSI, SALVATORE A

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/003,429	Applicant(s) KIM, NAMSUK	
	Examiner Salvatore Cangialosi	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/17/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-10 are rejected under 35 U.S.C. § 103 as being unpatentable over Randle et al (5974146) in view of Biffar (880) and either Chen et al or Wright et al.

Regarding claim 1, Randle et al (See Figs. 1a-4, col. 4, lines 1-40, Col. 8. lines 10-20) disclose a third party system (ECTS) performing authentication on both the merchant and the customer (mutual authentication) substantially as claimed. The differences between the above and the claimed invention are the specific authentication procedures, network parties, users, clients, and merchants. It is noted that the exchange of authorization and electronic verification between parties in an electronic transactions is standard as is mutual authentication. Biffar (See Figs. 1B, 1C and 6, Col. 6, lines 20-25, Col. 15,

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lines 10-20) show a method for authenticating a network transactions employing authorization codes. Either Chen et al (See Fig. 1) or Wright et al (See Figs. 5-7, and Cols. 2-4) show authentication between plural parties in electronic transactions including clients, merchants, and external verifiers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Randle et al because transaction authorization and authentication are conventional functional equivalents. Regarding the notification limitations of claim 2, the use electronic access by client or users to their accounts in all of the above is a functional equivalent of notification. Regarding confirming limitations of claim 3, all electronic transactions require confirmation prior to successful confirmation of a transaction substantially as claimed.

Regarding the vendor limitations of claim 4, all of the Point of Sale references require vendors and clients substantially as claimed. Regarding the specific user party limitations of claim 5, the Wright et al show medical history used (See Col. 1, line 30) point of sale which is a functional equivalent of the claim.

Regarding the specific user party limitations of claim 6, the Wright et al show medical history used (See Col. 1, line 30) point of sale which is a functional equivalent of the claim.

Regarding the specific user party limitations of claim 7, the Wright et al show tickets used (See Col. 7, line 30) point of sale which is a functional equivalent of the claim. Regarding the

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bank limitations of claim 8, Chen et al (See Col. 1, lines 10-20) show the use of a bank or credit card servicer which is a functional equivalent of the claim. Regarding the credit card limitations of claim 9, Chen et al (See Col. 1, lines 10-20) show the use of a bank or credit card servicer which is a functional equivalent of the claim. Regarding claim 1, Randle et al (See Figs. 1a-4, col. 4, lines 1-40, Col. 8. lines 10-20) disclose a third party system (ECTS) performing authentication on both the merchant and the customer (mutual authentication) substantially as claimed. The differences between the above and the claimed invention are the specific authentication procedures, network parties, users, clients, and merchants. It is noted that the exchange of authorization and electronic verification between parties in an electronic transactions is standard as is mutual authentication. Biffar (See Figs. 1B, 1C and 6, Col. 6, lines 20-25, Col. 15, lines 10-20) show a method for authenticating network transactions employing authorization codes. Either Chen et al (See Fig. 1) or Wright et al (See Figs. 5-7, and Cols. 2-4) show authentication between plural parties in electronic transactions including clients, merchants, and external verifiers. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Randle et al because transaction authorization and authentication are conventional functional equivalents.

The applicants arguments dated 02/17/2005 are moot due to

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the new ground of rejection.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number (703) 305-1837. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:


Commissioner of Patent and Trademarks

Washington, D.C. 20231

or faxed to (703)872-9306

Hand delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, Virginia, Seventh Floor(Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600 Customer Service Office whose telephone number is (703) **308-4177**.


SALVATORE CANGIALOSI
PRIMARY EXAMINER
ART UNIT 222